

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

MABIOR JOK;

PLAINTIFF

vs.

CITY OF BURLINGTON, VERMONT;

Civil Action

No.: 2:19-cv-00070

BRANDON DEL POZO,
INDIVIDUALLY AND IN HIS OFFICIAL
CAPACITY AS CHIEF OF POLICE FOR
THE CITY OF BURLINGTON, VERMONT;

JANINE WRIGHT,
INDIVIDUALLY AND IN HIS OFFICIAL
CAPACITY AS A POLICE OFFICER FOR
THE CITY OF BURLINGTON, VERMONT;

JASON BELLAVANCE,
INDIVIDUALLY AND IN HIS OFFICIAL
CAPACITY AS A POLICE OFFICER FOR
THE CITY OF BURLINGTON, VERMONT;

JOSEPH CORROW,
INDIVIDUALLY AND IN HIS OFFICIAL
CAPACITY AS A POLICE OFFICER FOR
THE CITY OF BURLINGTON, VERMONT;

DEFENDANTS

**PLAINTIFF'S SECOND INTERROGATORIES AND REQUESTS TO PRODUCE TO
DEFENDANT CITY OF BURLINGTON**

NOW COMES the Plaintiff, Mabior Jok by and through his attorney, Robb Spensley, Esq., and pursuant to F.R.C.P. 33, F.R.C.P. 34, and F.R.C.P. 36 issues the following Interrogatories, and Requests to Produce on Defendant:

DEFINITIONS

1. "You" or "your" means Defendant and all persons acting or proposing to act on Defendant's behalf.
2. "Document" or "documents" means any and all writings or other materials, whether handwritten, typed, printed, recorded or reproduced by any other physical, mechanical, electronic or electrical means, including, but not limited to, records, papers, correspondence, telegrams, memoranda, notes, letters, photographs, photographic slides or negatives, films, filmstrips, tapes and recordings, summaries or records of telephone conversation, summaries or records of personal conversations, and all carbons or photocopies bearing any underlining, highlighting, additions, corrections, or marginal notations which are in the possession, custody, or control of Defendant, wherever located.
3. When used in reference to a document, "identify" or "describe" means that you must state its date, form, title, label, code or file number, author or addresser, addressee, the name and title of the person having custody, possession or control of it, and a description of the subject matter of its contents.
4. When used in referring to a person "identify" means that you must state the person's full name, position, firm, home and business addresses, and home and business telephone numbers.
5. When used in reference to the matter of an act transaction, relationship, thing or occurrence, "identify" or "describe" means that you must state a full description of such act, transaction, relationship, thing or occurrence by reference to the underlying facts, including the particulars of date, time, place, person, manner, method and means employed, and events involved rather than your personal, ultimate conclusions or assumptions.

INSTRUCTIONS

1. Each interrogatory is to be answered separately and fully, in writing, and under oath.
2. The interrogatory being answered shall be reproduced before the answer.

3. These interrogatories are continuing in nature, and require you to file promptly supplementary answers if you obtain further or different information between the time answers hereto are served and the time of trial.
4. To the extent that any information requested by these interrogatories is unknown to you, so state, and set forth such remaining information as is known by you. If any estimate or approximation can reasonably be made in place of unknown information, set forth your best estimate or approximation, clearly designated as such, in place of the unknown information, and describe the basis upon which the estimate or approximation is made.
5. The omission of any name, fact, or other item from the answers shall be deemed a representation that such name, fact or item is not known to you.
6. If any ambiguity arises within an interrogatory, state the matter deemed ambiguous and state the construction chosen or used in answering the interrogatory.
7. When a response to any interrogatory requires the use of documents, identify all such documents in your possession or subject to your control.
8. In construing these interrogatories, the forms "refer to" and "relate to" shall include any and all logical or factual connections or the subject of the discovery request as specified.
9. In the event that you refuse to answer any interrogatory, or portion thereof, on the ground that it is subject to any attorney-client privilege or attorney work product, you are required to:
 - a.) State the nature of the privilege asserted;
 - b.) State the facts relied upon in support of the claim of privilege;
 - c.) Identify all documents related to the claim of privilege;
 - d.) Identify all persons having knowledge of any facts related to the claim of privilege;
 - e.) Identify all events, transactions, or occurrences related to the claim of privilege.

In answering these interrogatories, the Defendant is requested to identify or produce all documents in his/her possession or control containing , setting forth or otherwise pertaining to

the subject matter of the Interrogatory, whether or not such identification or production is specifically requested in that interrogatory.

INTERROGATORIES

1. Please state the date a litigation hold letter, email, or other communication was sent to employees of defendant City of Burlington not to destroy electronically stored information which relates to the above captioned matter. Please further, identify the author or speaker of the letter, email, or communication. Please indicate which City employees received the letter/ communication.

REQUESTS TO PRODUCE

Production is requested at the law offices of Robb Spensley, Attorney at Law, 3232 Route 7 Pittsford, VT 05763, 30 days after date of service hereof, or if such date falls upon a Saturday, Sunday, or legal holiday, the first business day thereafter.

1. Please produce all Burlington Police Department (BPD) cruiser and/ or body camera footage for any use of force report for which a modified arm bar was employed by Officer Corrow or another Officer, including but not limited to any footage from BPD incident numbers: 16BU18944, 16BU16546, 16BU1015, 16BU18335, 16BU23925, 16BU33507, and 16BU34774.
2. Please produce a copy of any communications or documents related to Interrogatory 1.
3. Please produce a copy of any documents or communications relating to an internal investigation into the social media use of Brandon Del Pozo. Please include the internal investigation.

4. Please produce a copy of any communications or documents relating to an internal investigation into the social media use of Janine Wright. Please include the internal investigation.
5. Please produce copies of all anonymous social media posts authored by Janine Wright and Brandon del Pozo.

DATED at Pittsford, Vermont, this 1st day of September, 2020.

MABIOR JOK

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